

MEMO ENDORSED

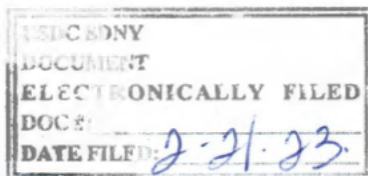
## tacopina seigel trial lawyers

TACOPINA SEIGEL & DEOREO

JOSEPH TACOPINA

EMAIL: jtacopina@tacopinalaw.com

www.tacopinalaw.com



275 Madison Avenue, 35th Floor

New York, NY 10016

Telephone (212) 227-8877

Facsimile (212) 619-1028

February 20, 2023

**FILED BY ECF**

Hon. Lewis A. Kaplan  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**Re: Carroll v. Trump, 22 Civ. 10016 (LAK) ("Carroll II")**

Your Honor:

We write as counsel for Defendant Donald J. Trump to respectfully request a two-week adjournment of the deadlines for completion of expert discovery concerning Plaintiff's alleged emotional injuries. Importantly, the granting of this request would not require the adjournment of any additional deadlines, including the date of trial. Nonetheless, as set forth in email correspondence between the parties, a copy of which is annexed hereto as Exhibit A, Plaintiff has not consented to this request.

The reason for the adjournment is that our retained expert, Dr. Ian Lamoureux, sent us a letter at 10:16 pm last night stating that he can no longer serve as our testifying expert because of the Court ordered deadlines. A copy of the letter, which is attached hereto as Exhibit B, states:

Following Friday evening's email, Dr. Lamoureux continued to analyze the requested evaluation, and as part of these efforts had the opportunity to speak with Dr. Hayes about how we could proceed with the evaluation on Tuesday in a way that would still yield meaningful information to help render factually valid, honest, ethical opinions. After substantial discussion, it was determined that it would not be feasible. Psychometric testing requires a solid clinical interview to be valid, and the allotted time on Tuesday (February 21, 2023) would be insufficient to accomplish this.

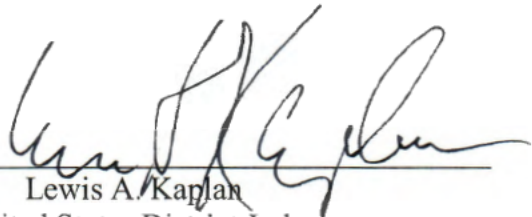
Memorandum Endorsement

Carroll v. Trump, 20-cv-10016 (LAK)

Motion denied as moot in light of the attached notification.

SO ORDERED.

Dated: February 21, 2023

  
\_\_\_\_\_  
Lewis A. Kaplan  
United States District Judge

**Kathleen McNelis**

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**From:** Andrew Mohan  
**Sent:** Tuesday, February 21, 2023 11:28 AM  
**To:** Kathleen McNelis; John Hammel Strauss; Aditi Shah; [REDACTED]  
**Subject:** FW: TEAMS CONFERENCE AT 12:00 PM TODAY RE: Carroll v. Trump 22-CV-10016(LAK):

Please see below!

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**From:** Chad Seigel <cseigel@tacopinalaw.com>  
**Sent:** Tuesday, February 21, 2023 11:25 AM  
**To:** Andrew Mohan [REDACTED]  
**Cc:** Geri Russo <grusso@tacopinalaw.com>; Joe Tacopina <jtacopina@tacopinalaw.com>; Matthew DeOreo <mdeoreo@tacopinalaw.com>; 'ahabba@habbalaw.com' <ahabba@habbalaw.com>; 'mmadaio@habbalaw.com' <mmadaio@habbalaw.com>; 'jmatz@kaplanhecker.com' <jmatz@kaplanhecker.com>; 'mcraig@kaplanhecker.com' <mcraig@kaplanhecker.com>; 'scrowley@kaplanhecker.com' <scrowley@kaplanhecker.com>; 'tmorrison@kaplanhecker.com' <tmorrison@kaplanhecker.com>; 'rkaplan@kaplanhecker.com' <rkaplan@kaplanhecker.com>  
**Subject:** RE: TEAMS CONFERENCE AT 12:00 PM TODAY RE: Carroll v. Trump 22-CV-10016(LAK):

**CAUTION - EXTERNAL:**

Good morning,

I have some good news. We confirmed just a short while ago that Dr. Nace, the original expert who previously became unavailable due to his wife's medical condition, is again available to conduct the IME this week. Further, Dr. Nace assured us that he will be able to prepare his report by February 28th. Accordingly, we have scheduled the IME with Plaintiff, to be conducted over two sessions by Zoom during the afternoons of tomorrow and Friday.

As a result, the extension sought in our letter motion has become moot, which should obviate the need for today's hearing. That being said, if the Court still wishes us to attend for some purpose, please let us know and we will of course do so.

Thank you,

Chad